THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.22813 of 2006

08.11.2006

Between:
Smt.Chiranjeevi Seetha Mahalakshmi, W/o.Dada

… Petitioner

AND

The Principal Secretary to Government of Andhra Pradesh,
Revenue Department, Secretariat, Hyderabad
And others

… Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.22813 of 2006

ORDER:

The petitioner is resident of Eluru. She was assigned house site admeasuring 63.3 Sq.yards in survey Nos.39/7 and 458/3 of W.P.Ward, Eluru. On an allegation that she converted the house site and using it for commercial purpose, the Mandal Revenue Officer (MRO), Eluru Mandal – the third respondent herein; issued a notice dated 08.11.2005. The petitioner submitted her explanation. After considering the same, by impugned order dated 05.7.2006, the third respondent cancelled the assignment. Aggrieved by the same, the present writ petition is filed.

Learned Counsel for the petitioner strenuously contends that the third respondent passed orders purportedly as directed by this Court in W.P.No.17011 of 2005 dated 02.8.2005, that the copy of the order passed by the third respondent was not furnished to the petitioner and that the petitioner constructed a house and never converted the same for commercial purpose. Learned Counsel for the petitioner does not dispute that against the order of the MRO, appeal lies to the concerned Revenue Divisional Officer (RDO). It is an effective and efficacious alternative remedy. Therefore, liberty is given to the petitioner to approach the RDO and file appeal raising all grounds. As and when such appeal is filed, the RDO shall dispose of the same within a period of three weeks, if necessary by inspecting the premises and also conducting enquiry as to whether the petitioner converted the house for commercial needs, from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly disposed of. No costs.

November 08, 2006. (**V.V.S.RAO, J**)

YS